



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** June 20, 2023

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**  
ZONING CASE Z-2023-10700118

**SUMMARY:**

**Current Zoning:** "C-1 MLOD-3 MLR-2 AHOD" Light Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "RM-4 MLOD-3 MLR-2 AHOD" Residential Mixed Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 20, 2023

**Case Manager:** Ann Benavidez, Zoning Planner

**Property Owner:** APEP Holding, LLC

**Applicant:** Bill Bittles

**Representative:** Bill Bittles

**Location:** 648 Delmar Street

**Legal Description:** Lots 1-3, Block 5, NCB 1613

**Total Acreage:** 0.2583 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 31

**Registered Neighborhood Associations within 200 feet:** Denver Heights Neighborhood Association

**Applicable Agencies:** Office of Historic Preservation, Martindale Army Airfield,

### **Property Details**

**Property History:** The subject property was part of the original 36 square miles of the City of San Antonio and was originally zoned “B” Residence District. The property was rezoned by Ordinance 57,069 to “B-1” Business District. With the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “B-1” Business District converted to the current “C-1” Light Commercial District.

**Topography:** The property does not include any abnormal physical features such as slope or incursion in a flood plain.

### **Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “RM-4”

**Current Land Uses:** Fire station

**Direction:** South

**Current Base Zoning:** “RM-4”

**Current Land Uses:** Residential Dwelling

**Direction:** East

**Current Base Zoning:** “RM-4”

**Current Land Uses:** Residential Dwelling

**Direction:** West

**Current Base Zoning:** “RM-4”

**Current Land Uses:** Residential Dwelling

### **Overlay District Information:**

The "AHOD" Airport Hazard Overlay District, due to the location of the property and its proximity to an airport or approach path, does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

The "MLOD-3" Martindale Army Airfield Military Lighting Overlay District does not restrict permitted uses, but does regulate outdoor lighting in an effort to minimize night-time light pollution and its effects on operations at the military installation.

### **Special District Information:**

No special district information.

### **Transportation**

**Thoroughfare: Delmar Street**  
**Existing Character: Local Street**  
**Proposed Changes: None Known**

**Thoroughfare: South Mittman Street**  
**Existing Character: Local Street**  
**Proposed Changes: None Known**

**Public Transit:** There are no VIA bus routes are within walking distance of the subject property.  
**Routes Served: 28, 230**

**Traffic Impact:** A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

**Parking Information:** The minimum parking requirement for multi-family development is 1.5 spaces per unit.

**Thoroughfare: Delmar Street**  
**Existing Character: Local Street**  
**Proposed Changes: None Known**

**Thoroughfare: South Mittman Street**  
**Existing Character: Local Street**  
**Proposed Changes: None Known**

**Public Transit:** There are no VIA bus routes are within walking distance of the subject property.  
**Routes Served: 28, 230**

**Traffic Impact:** A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

**Parking Information:** The minimum parking requirement for multi-family development is 1.5 spaces per unit.

**ISSUE:**  
None.

**ALTERNATIVES:**

Current Zoning: C-1 districts accommodate neighborhood commercial uses which depend on a greater volume of vehicular traffic than an NC district. C-1 uses are considered appropriate buffers between residential uses and C-2 and C-3 districts and uses. Building size is limited to 5,000 square feet. Examples of permitted uses: arcade, boarding house, noncommercial athletic field, retail furniture sales, grocery store, nursery (retail – no growing of plants on site permitted), retail office equipment and supply, and retail rug or carpet sales. No outdoor storage or display of goods shall be permitted except for outdoor dining.

Proposed Zoning: Single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 4,000 square feet and a minimum lot width of 15 feet, public and private schools.

**FISCAL IMPACT:**

None.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

The subject property is not located within a Regional Center Area plan but is within a ½ mile of a New Braunfels Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval.

**Criteria for Review: According to Section 35-421, zoning amendments shall be based on approval criteria below.**

1. **Consistency:** The subject property is located within the Arena District / Eastside Community Plan and is currently designated as “Medium Density Residential” in the future land use component of the plan. The requested “RM-4” base zoning district is consistent with the future land use designation.
2. **Adverse Impacts on Neighboring Lands:** Staff does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is consistent with the established development pattern of the surrounding area. The property is in a residential neighborhood, with surrounding properties predominately zoned “RM-4” Residential Mixed District.
3. **Suitability as Presently Zoned:** The current “C-1” Light Commercial District is not the most appropriate zoning designation for the property and surrounding area. The proposed “RM-4” Residential Mixed District is more appropriate. The property is situated on the corner of two local streets and is sized to adequately accommodate the proposed residential development. The proposed multi-family residential development permits residential uses that align with the existing development pattern at an appropriate density. The area already accommodates many properties zoned “RM-4” Residential Mixed District. Additionally, the proposal is consistent with the goals of the Strategic Housing Implementation Plan which encourages diverse housing options for all income levels.
4. **Health, Safety and Welfare:** Staff has not found indication of likely adverse effects on the public health, safety, or welfare.
5. **Public Policy:** The request does not appear to conflict with any public policy objectives of the Arena District / Eastside Community Plan:
  - 2. Land Use Guiding Principles

- o 2.1 Establish a land use pattern that is responsive to the existing context and is founded upon realistic market expectations.
    - o 2.2 Protect the neighborhoods by providing them with the necessary improvements to enable infill development and redevelopment.
  - 4. Land Use Plan Goals
    - o 4.1 Conserve existing neighborhoods
    - o 4.2 Recommend new medium density single family and high density multifamily residential neighborhoods near Salado Creek to supplement existing ones.
- 6. Size of Tract:** The subject property is 0.2583 Acres, which can reasonably accommodate the proposed residential development.
- 7. Other Factors:** The applicant intends to rezone to “RM-4” to utilize an existing structure as a fourplex on the property.

The subject property is located within the Martindale Army Airfield Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, Texas Army National Guard and JBSA were notified of the proposed request. The Military has indicated that there are no objections to this request.

For properties zoned “RM” or “MF” that abut lots zoned residential or are developed with a single family use, the height is restricted to the maximum height of the single family district within 50 feet of the property line.

Multi-family construction on lots one-third ( $\frac{1}{3}$ ) of an acre in size or smaller, and zoned "RM" or "MF", shall comply with the following: All dwelling units established on the property must be contained within one structure.

In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any property located within the city limits of San Antonio. Approval of a zoning change does not imply approval of or take the place of such demolition review as directed by the UDC. To date, no application for demolition at this address to accommodate the proposed use has been submitted for review to the Office of Historic Preservation. There are historic age structures present on these properties. A 30-day review period is required for demolition.